

**LODI CITY COUNCIL  
SPECIAL CITY COUNCIL MEETING  
CARNEGIE FORUM, 305 WEST PINE STREET  
TUESDAY, AUGUST 7, 2001**

**A. CALL TO ORDER / ROLL CALL**

The Special City Council meeting of August 7, 2001 was called to order by Mayor Nakanishi at 7:39 a.m.

Present: Council Members – Hitchcock (arrived at 7:57 a.m.), Howard, Pennino and Mayor Nakanishi

Absent: Council Members – Land

Also Present: City Manager Flynn, City Attorney Hays, and City Clerk Blackston

**B. REGULAR CALENDAR**

- B-1 "Discussion of pending legislation Senate Bill 910 (Dunn) regarding Housing Element requirements"

Community Development Director Bartlam reported that Senate Bill 910 modifies the way in which the state reviews and reacts to cities' housing elements. Lodi's housing element was approved by Council in 1991, but has not been approved by the state. Senate Bill 910 would add a set of penalties that could be imposed upon the City for not having an element that the state has adopted. Cities with housing elements not in compliance could face a penalty of \$1.5 million, as well seizure of their gas tax money. Mr. Bartlam requested that Council authorize staff to draft a letter in opposition to Senate Bill 910 and actively oppose the bill as it continues through the committee.

Council Member Howard mentioned that she met with Assembly Member Anthony Pescetti last Wednesday. The topic of Senate Bill 910 arose during discussions with Mr. Pescetti and a number of city leaders in District 10, all of whom expressed their opposition to the bill. In addition to the penalties Mr. Bartlam outlined, Ms. Howard noted that cities would also have to pay any associated attorney's fees.

In response to Mayor Nakanishi, Mr. Bartlam reported that the cities of Stockton, Manteca, and Ripon have already taken action to oppose the legislation.

**MOTION/ VOTE:**

The City Council, on motion of Mayor Pro Tempore Pennino, Howard second, authorized staff to draft a letter in opposition to Senate Bill 910 and actively oppose the bill as it continues through the committee. The motion carried by the following vote:

Ayes: Council Members – Howard, Pennino and Mayor Nakanishi

Noes: Council Members – None

Absent: Council Members – Hitchcock and Land

**C. COMMENTS BY THE PUBLIC ON NON-AGENDA ITEMS**

None

**D. CLOSED SESSION**

At 7:53 a.m., Mayor Nakanishi adjourned the meeting to a Closed Session to discuss the following topic:

- D-1 Actual litigation: Government Code §54956.9(a); one case; Susan Lynn Young and Matthew Dominic Brown vs. City of Lodi, et al., San Joaquin County Superior Court Case No. CV 002481

*Continued August 7, 2001*

E. RETURN TO OPEN SESSION / DISCLOSURE OF ACTION

At 8:10 a.m., Mayor Nakanishi reconvened the City Council meeting, and City Attorney Hays announced that no reportable action was taken regarding item D-1.

F. ADJOURNMENT

There being no further business to come before the City Council, the meeting was adjourned at 8:10 a.m.

ATTEST:

Susan J. Blackston  
City Clerk